



Attorney's Docket No.: 17023-004001 / 98010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael A. Apicella et al. Art Unit : 1652
Serial No. : 09/574,460 Examiner : Yong D. Pak
Filed : May 18, 2000
Title : PRODUCTION OF COMPLEX CARBOHYDRATES

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

*Fee Purpose
only*

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), the UNIVERSITY OF IOWA RESEARCH FOUNDATION and THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, certify that they are the assignees of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the patent application identified above.

The assignment from Michael A. Apicella to the UNIVERSITY OF IOWA RESEARCH FOUNDATION was recorded in the Patent and Trademark Office at Reel 011165, Frame 0223 on October 6, 2000. A copy of the assignment is attached.

The assignment from Bradford W. Gibson and Nancy J. Phillips to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA was recorded in the Patent and Trademark Office at Reel 011165, Frame 0284 on October 6, 2000. A copy of the assignment is attached.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is jointly held by the UNIVERSITY OF IOWA RESEARCH FOUNDATION and THE REGENTS OF THE UNIVERSITY OF CALIFORNIA.

The undersigned is empowered to act on behalf of the assignees.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 2, 2004
Date of Deposit

Jill Huso
Signature

Jill Huso
Typed or Printed Name of Person Signing Certificate

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01 FC:1814 110.00 DA

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Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignees identified above hereby waive and disclaim the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,743,607, whereby the patent granted on this application and U.S. Patent No. 6,743,607 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,743,607.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,743,607 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,743,607.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 17023-004001.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 2 Sept 2004

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